

REC'D TN
REGULATORY AUTH.

BEFORE THE TENNESSEE REGULATORY AUTHORITY

02 JUL 24 AM 11 20

AT NASHVILLE, TENNESSEE

OFFICE OF THE
EXECUTIVE SECRETARY

IN RE:

**UNITED CITIES GAS COMPANY, a Division of
ATMOS ENERGY CORPORATION
INCENTIVE PLAN ACCOUNT (IPA) AUDIT**

**DOCKET NO.
01-00704**

RESPONSE TO FIRST DATA REQUEST FILED BY UNITED CITIES GAS COMPANY

On July 23, 2002, United Cities Gas Company ("United Cities") filed with the Authority and served upon the Authority Staff (the "Staff") participating as a party in this matter the *First Data Request from United Cities Gas Company to the Staff of the Tennessee Regulatory Authority*. This filing contains six (6) interrogatories, two (2) of which are also requests for production of documents. The filing requests that the Staff respond on or before 2:00 p.m. on July 26, 2002.

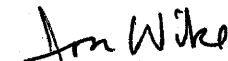
Authority Rule 1220-1-2-.11(1) states, in pertinent part:

Any party to a contested case may petition for discovery. In any case where discovery is sought, no discovery shall be undertaken until a discovery schedule is set in accordance with these rules.

United Cities has not petitioned for discovery, and a discovery schedule has not been set in this matter. Until such time as a discovery schedule is set, Staff is under no obligation to respond to the interrogatories or the request for production in United Cities' July 23, 2002 filing. Staff objects to United Cities' filing and to United Cities' attempt to conduct discovery in a

manner contrary to the Authority's Rules.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jon Wike", is written over a horizontal line.

Jon Wike
Counsel for Authority Staff
Participating as a Party


Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505
615-741-3191

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of July, 2002, true and accurate copies of the foregoing were served by facsimile to:

Joe A. Conner, Esq.
Baker, Donelson, Bearman, & Caldwell, P.C.
1800 Republic Centre
633 Chestnut Street
Chattanooga, Tennessee 37450

Timothy C. Phillips, Esq.
Office of the Attorney General
Consumer Advocate and Protection Division
425 Fifth Avenue North, Third Floor
Nashville, Tennessee 37243



Jon Wike